

SHB 1472

WASHINGTON STATE  
RACIAL DISPROPORTIONALITY  
ADVISORY COMMITTEE

# racial disproportionality in washington state

Second Edition Committee Report  
to DSHS Secretary Robin Arnold-Williams  
pursuant to SHB 1472, Chapter 465, Laws of 2007.



This second edition of the Committee's Report corrects errors that we found in the June 2008 edition. It also streamlines the appendices and reorganizes some sections of the report.

# WASHINGTON STATE RACIAL DISPROPORTIONALITY ADVISORY COMMITTEE

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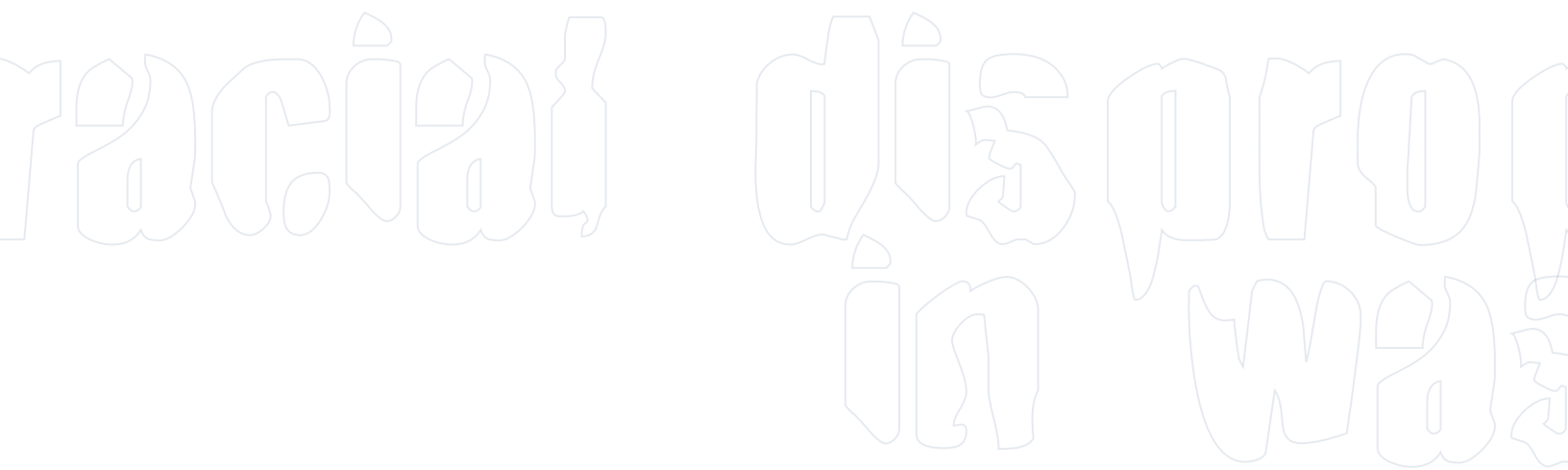
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### **Special Acknowledgements**

The Advisory Committee extends a special thanks to Casey Family Programs for their tremendous support and technical assistance.

We thank Marna Miller and the entire staff of the Washington State Institute for Public Policy (WSIPP) for analyzing the data and supplying the findings for our report.

We give special acknowledgement to our fellow Committee members, Dr. Marian S. Harris and Dr. Tom Crowfoot, for consistently sharing their research expertise and for developing the literature review.

The Research Sub-Committee extends a special thanks to Ms. Ashley Sutton, MSW, Casey Family Programs, for her work in the development of the literature review.

Finally we acknowledge our staff person, Tarachel Benjamin, for her outstanding skills and positive “can do” attitude. We truly appreciate Tarachel’s exceptional work.



June 1, 2008

Dear Secretary Arnold-Williams:

The Statewide Racial Disproportionality Advisory Committee, created by Substitute House Bill 1472, has complied with the legislative mandate to study whether there are a disproportionate number of children of color in the Washington State Child Welfare System. We have completed our analysis and we have determined racial disproportionality does exist in Washington State.

Our analysis reveals that Native American and African American children are more likely to enter our state's child welfare system and they are more likely to be in care for over two years compared to White children. The data demonstrates that Hispanic American children are 34% more likely than White children to be referred to the child welfare system, but Asian American children are not likely, as compared to White children, to enter the system or to experience racial disproportionality at any point in the system.

While this report provides significant information on racial disproportionality in Washington State's Child Welfare System, it has also opened the door for many more questions to be asked and answered. We acknowledge the leadership and vision of Representative Pettigrew and Senator Kauffman. Their work to ensure the passage of SHB 1472 made Washington State a national leader in efforts to eliminate racial disproportionality and disparity.

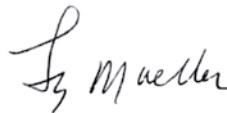
This is the right time to examine the decisions which have led to racial disproportionality. It is time to address the societal and institutional factors that also contribute to racial disproportionality. We know this work will take time and dedication. We are committed to the progression of this work, and we are committed to our collaboration with the department as we seek ways to reduce and ultimately eliminate racial disproportionality in the Washington State Child Welfare System.

We look forward to our continued partnership.

Respectfully submitted,



The Honorable Patricia H. Clark, Chair  
King County Superior Court



The Honorable Liz Mueller, Chair  
Jamestown S'Klallam Tribe



Dr. Marian S. Harris, Chair  
University of Washington

# Racial Disproportionality in Washington

# EXECUTIVE SUMMARY

Racial disproportionality occurs when the population of children of color in any system including the child welfare system is higher than the population of children of color in the general population.

Washington State Institute for Public Policy (WSIPP) was the technical staff to the Advisory Committee, and chose to use Children's Administration data from 2004 to answer these questions. It can take a while to conclude child welfare cases. Using 2004 data allows for at least two years of follow-up for all children represented in the study.

In 2007, Substitute House Bill 1472 (SHB 1472) created the Washington State Racial Disproportionality Advisory Committee to determine if racial disproportionality exists in Washington State.<sup>1</sup> The legislation directed the Committee to answer the following questions:

## Here are the answers:

1. Does racial disproportionality exist in the Washington State Child Welfare System?  
*Yes, racial disproportionality does exist in the Washington State Child Welfare System.*

2. What points in the Washington State Child Welfare System reflect the highest level of disproportionality for children of color?

*The greatest disproportionality for children of color occurs when:*

- *The initial referral to Child Protective Services (CPS) is made.*
- *The decision to remove the child from home is made.*
- *A child is in care for over two years.*

*Compared with White children referred to CPS, after referrals:*

- *Indian children are 1.6 times as likely to be removed from home and 2.2 times as likely to remain in foster care for over two years.*
- *Black children are 1.2 times more likely to be removed from home and 1.5 times more likely to remain in care for over two years.*
- *Hispanic children were no more likely to be removed from home or to remain in care for over two years.*
- *Asian children were no more likely to be removed from home and less likely to remain in care for over two years.*

3. Are children from low-income backgrounds more likely to be in the Washington State Child Welfare System than children from more affluent backgrounds?

*Yes, children from low income families are more likely to be in the Washington State Child Welfare System than children from affluent backgrounds.*

4. Are children from single-parent families more likely to be in the Washington State Child Welfare System than children from two-parent households?

*Yes, children of single-parent families are more likely to be in the Washington State Child Welfare System than children from two-parent households.*

5. How do outcomes for children of color differ from the outcomes of White children?

*For outcomes such as length of stay, Indian and Black children have less favorable outcomes than White children. Asian and Hispanic children are as likely as White children to remain in foster care. Additionally, when statistically controlling for poverty, family structure and case characteristics, the patterns of disproportionality did not change for Black, Hispanic, or Asian children. For Indian children, however, disproportionality after referral was reduced by about 25 percent.*

<sup>1</sup> SHB 1472, Chapter 465, Laws of 2007.

### In Washington State:

- Indian children are almost three times as likely to be referred to CPS as White children.
- Black children are almost twice as likely to be referred to CPS as opposed to their White counterparts.
- Hispanic children are 1.3 times as likely to be referred to CPS as White children.

For Indian children, after referral certain decisions appear to contribute to disproportionality. Compared to White children, Indian children are:

- More likely to have a high-risk tag at intake.
- More likely to be removed from home.
- Less likely to reunify with parents within two years.
- Less likely to be adopted within two years.

The situation is not much better for Washington State's Black children. After referral, when compared to White children Black children are:

- More likely to have a referral accepted.
- More likely to be assessed high-risk at intake.
- As likely to reunify with parents within two years.
- Less likely to be adopted within two years.

Hispanic children have a greater likelihood of referral than White children. Asian children have a lesser likelihood of referral than White children. If Hispanic and Asian children enter the Washington State Child Welfare System, disproportionality does not increase at future decision points.<sup>2</sup>

### Mandated Reporters

Our Washington State study shows that children of color are referred to CPS at disproportionate rates. In 2004, mandated reporters submitted about 60 percent of all referrals to CPS. Eighty percent of children who were removed from home were referred by mandated reporters.

Disproportionality in Indian, Black, and Hispanic populations does not seem to be related to the type of referrer (i.e. non-mandated or mandated reporter). However, children from Black and Native American families are more likely to be poor; therefore more likely to be exposed to mandated reporters as they turn to the public social service system for support in times of need.<sup>3</sup> Ultimately, disproportionality will continue to exist if referral rates are not addressed.

### Single-Parent Families

Children in households headed by single parents are more likely to be in foster care. According to the 2000 census, 25 percent of children in Washington live in a household headed by a single parent.

In Washington State, the percent of children in foster care who were living in single-parent homes at the time of out-of-home placement are as follows by race:

- 62 percent for Asian children.
- 88 percent for Black children.
- 74 percent of White children in foster care.

Mandated Reporters usually are people that have frequent contact with children. They include: educators, medical providers, law enforcement, Department of Corrections' employees, mental health professionals, foster care providers, DSHS employees, social service professionals, and child care providers.

### Informal Reporters include:

friends, neighbors, relative, parents, guardians, and victims.

Children from two-parent families were returned home faster than children from single-parent homes, regardless of the gender of the single parent.  
*Harris and Courtney (2003).*

<sup>2</sup> Although some members of the Advisory Committee wanted statistics for Pacific Islanders separate from the Asian racial category, WSIPP concluded the numbers were too small to be separated without jeopardizing the confidentiality of the children and families involved.

<sup>3</sup> Cahn, K., & Harris, M. S. (2005). Where have all the children gone? A review of the literature on factors contributing to disproportionality: Five key child welfare decision points. *Protecting Children*, 20(1), 4-14.



While poverty is more likely to affect families of color, the research does not indicate that poverty is related to disproportionate risk for abuse and neglect for families of color. (see Literature Review, page 27).

Children living in two-parent households are more likely to have an accepted referral and less likely to have the referral result in an out-of-home placement. However, children living with an unmarried couple are more likely to be in an out-of-home placement for over 60 days.

Compared with children living with single mothers, children living with single fathers are:

- Less likely to have a referral accepted.
- More likely to have an out-of-home placement.
- Less likely to be in out-of-home care for over 60 days.

#### Low Income Families

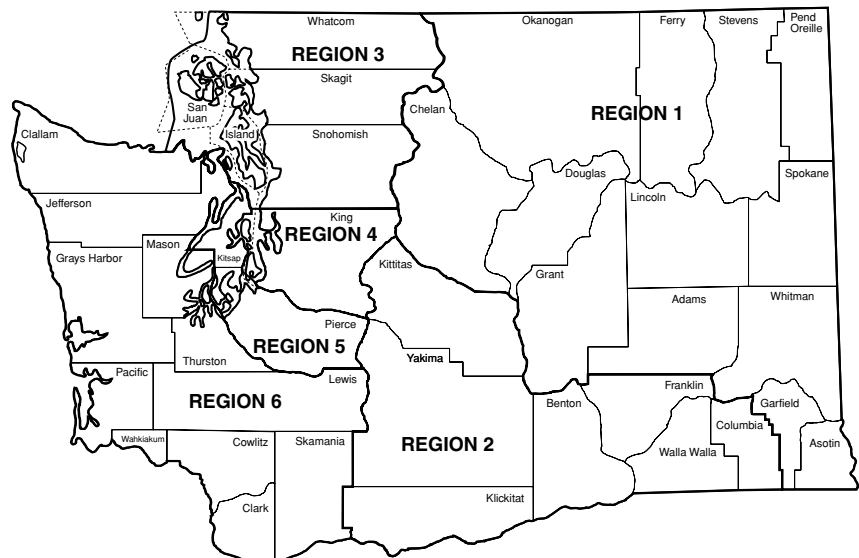
Families of color who live in poverty are no more likely to abuse or neglect their children (see Literature Review, pg. 27). Children whose birth family is Black, American Indian and Hispanic are almost three times as likely to be poor as children whose birth families are White and Asian.<sup>4</sup> For children in all age groups, their parent's income level was the major determinant of whether or not they were removed from home.<sup>5</sup>

Poverty is generally considered to be a condition characterized by severe deprivation of basic human needs, including food, safe drinking water, sanitation facilities, health, shelter, education and information. For the purposes of this study, poverty is operationally defined on the basis of eligibility to receive food stamps.

In 2004, about one in four children (24 percent) in Washington State received food stamps. In 2004, 38 percent of the total referrals to CPS came from families that received food stamps. This means out of the 58,005 referrals to CPS, 22,619 of the children came from families that received food stamps. The 22,619 children represent seven percent of Washington State's total food stamp population.

#### At a Glance: Washington State Regions

The legislation directed the Committee to separate results by geographical region. In 2004, large differences in disproportionality, especially for Indian and Black children existed across the six DSHS-Children's Administration regions.



<sup>4</sup> Staveteig, S., & Wigton, A. (2000). Racial and ethnic disparities: Key findings from the national survey of America's families. Washington, DC: The Urban Institute.

<sup>5</sup> Courtney, M.E., Barth, R.P., Berrick, J.D., Brooks, D., Needell, B., & Park, L. (1996). Race and child welfare services: Past research and future directions. Child Welfare 75(2), 99-137.

## As compared to White children referred to CPS:

### Region 1

- Indian children are more likely to be removed from home and to remain in care for over two years.
- Black children are more likely to be removed from home and to remain in care over for two years.
- Hispanic children are more likely to be in care for over two years.

### Region 2

- Indian children are more likely to be removed from home and to remain in out-of-home care for over 60 days.
- Black children are less likely to be in care for over 60 days.
- Hispanic children are less likely to be in care for over 60 days or in care for over two years.

### Region 3

- Indian children are more likely to be removed from home and to remain in care for over two years.
- Black children are more likely to be removed from home and to remain in care for over two years.
- Hispanic children are as likely to be removed from home. Hispanic children are less likely to be in care for over 60 days or in care for over two years.

### Region 4

- Indian children are more likely to be removed from home and to remain in care for over two years.
- Black children are as likely to be removed from home and to remain in care for over 60 days. Black children are more likely to remain in care for over two years.
- Hispanic children are more likely to be removed from home.

### Region 5

- Indian children are more likely to be removed from home and remain in care for over two years.
- Black children are more likely to be in placement for over 60 days.
- Hispanic children are more likely to remain in care for over two years.

### Region 6

- Indian children are more likely to be in an out-of-home placement and to remain in care for over two years.
- Black children are more likely to be in an out-of-home placement and to remain in care for over two years.
- Hispanic children are as likely to be removed from home. Hispanic children are more likely to be in care for over 60 days.

## Recommendations

Although we recognize formal administrative and legislative recommendations will be provided in the remediation plan, as we move forward we would like to identify two areas of consideration.

### 1. Consult with other states, such as Texas, Wisconsin, and Michigan, which have undertaken statewide efforts to reduce disproportionality.

DSHS is not embarking on this journey alone. Currently, there are states tackling the very issues we are now examining. As we move forward, gaining knowledge and lessons learned from other states will be a tremendous asset.

### 2. Study issues surrounding the Indian Child Welfare Act and American Indian racial disproportionality.

Substantial amounts of racial disproportionality exist within the Washington State American Indian population. Emphasis on Indian Child Welfare compliance will be a priority. Also, an in-depth look at how racial disproportionality varies between the Reservation Indians, Rural Indians and Urban Indians will be examined.

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